

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Natural Soda Inc. Plant Expansion **DOI-BLM-CO-2015-0019-EA**

Background

Natural Soda Inc. (NSI) is proposing to construct an additional processing facility and associated infrastructure adjacent to their existing processing facility (Figure 1) that would increase the current plant design capacity from 250,000 tons per year (tpy) to 500,000 tpy of sodium bicarbonate. The new facilities would be designed similar to existing facilities and could increase the processing facility foot print from 27 acres to 44 acres. Solution mining operations of the well field would continue in a similar manner as in the present and average well field disturbance would increase to approximately 6 acres annually or 120 acres over the next 20 years. Interim and final reclamation would result in approximately 37 acres of un-reclaimed well pad area at year 20.

The operation has produced over 2 million tons of sodium bicarbonate and gone through several changes in name and ownership since commencement of the commercial construction and operations in 1990. The original mine plan and impacts were analyzed in the “Wolf Ridge Corporation Mine Plan for a Nahcolite Solution Mine” Environmental Impact Statement (Wolf Ridge EIS) and the Record of Decision was signed in November 1987. The Wolf Ridge EIS contains four Alternatives which analyzes the impacts from the following range of scenarios:

- Production rates of 50,000 py, 125,000 tpy, and 500,000 tpy of sodium bicarbonate.
- Water usage from 60 to 446 gallons per minute (gpm) (88 to 674 acre feet per year).
- Annual number of well construction from 2 wells to 88 wells per year on single well pads.
- Evaporation ponds from 1 (5 acres disturbance) to 5 (93 acres disturbance).
- Total life of project disturbance range from 43 acres to 960 acres.

Potentially significant impacts to air quality, groundwater quantity and quality, cultural resources, and riparian-wetland habitat along Yellow Creek and were identified under the 500,000 tpy Alternative.

Finding of No Significant Impact

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action will not have any additional significant effects on the quality of the human environment, individually or cumulatively with other actions in the general area than the effects disclosed in the “Wolf Ridge Corporation Mine Plan for a Nahcolite Solution Mine” Environmental Impact Statement (1987). Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

Context

The project is a site-specific action within an area of ongoing sodium solution mining and processing directly involving BLM administered public lands. It consists of approximately 600 acres of 8,380 acres of federal sodium leased lands held by NSI.

Within this area an estimated 144 surface acres of the BLM lands over a 20 year time frame would be directly impacted. Direct surface impact would be from facility expansion, production wells, exploration/monitoring wells and the associated light use roads. The land disturbance associated with this project is an area of oil and gas development and sodium solution mining and would not change the existing character of the local landscape. There would be socioeconomic benefits related to the construction of additional facility infrastructure; an addition of 40 employees, increase in public revenue from royalties and taxes incurred from the increased sodium bicarbonate production. Maximum short-term surface disturbance over the next 20 years, including temporary light-use access roads, would be approximately 25 percent of the approximately 600 acre area and 2 percent of the leased area.

Affected interests for this project may include oil and gas development, grazing permittees, and people who use the area for recreation.

Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse.

Beneficial and adverse effects of the Proposed Action were described in the EA. Design features and mitigating measures to reduce potential short-term impacts to soils, distribution of invasive non-native species, sensitive plants, migratory birds, wildlife, cultural and paleontology are identified. The project would make a minor contribution to small amounts of airborne particulate matter during drilling and release CO₂e and other greenhouse gases during mining and processing. Well field subsidence, subsurface and likely surface over time, would occur which

could complicate future drilling for oil and gas. There would be increased depletions in the stream flows of Yellow Creek and Piceance Creek and could be a decrease in groundwater quality. The depletions are not expected to prompt alterations in channel function or riparian vegetation in either of these drainages.

Beneficial impacts of the project would be an increase in the continuation of gainful employment at the mine site, an increase in public revenues from increased taxes and royalties payments.

None of the environmental impacts disclosed in the EA exceed what has been documented in White River ROD/RMP or the “Wolf Ridge EIS”.

2. The degree to which the Proposed Action affects public health or safety.

Operations would continue to have to comply with Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA) underground inject control (UIC) permit, and Colorado Division of Reclamation, Mining and Safety (DRMS) mining permit requirements. Potential risks to public health and safety would be low and would occur over limited, brief periods.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Cultural resources would be protected by mitigation measures and unknown future well pad locations would have NEPA and cultural reviews when applications are submitted. Depletion from water usage in Yellow Creek and Piceance Creek are not expected to prompt alterations in channel function or riparian vegetation in either of these drainages. The following are not affected because they are not present near the project area: park lands, Areas of Critical Environmental Concern, Wilderness Areas, Wild and Scenic Rivers, and Prime or Unique Farmlands.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.

This decision to allow the expansion of an existing sodium solution mining facility, including the increase in well field development activities, and its effects are not unique. Sodium exploration, leasing, and development decisions have been made in this area for over 40 years. There is no scientific controversy over the nature of the impacts. Reclamation and re-vegetation has been successful in the past and can continue to be successful. The potential intensity of effects on the quality of the human environment is minimal. No comments or concerns have been received regarding possible effects on the quality of the human environment during scoping.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.

The project is not unique or unusual in this area. Sodium solution mining projects have been ongoing in the area for over 40 years and the BLM has been making decisions on similar actions for many years and has experience implementing similar actions in this area.

No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. This decision is not precedent setting. The Proposed Action was considered in the context of past, present and reasonably foreseeable actions. This decision is not unusual and impacts from NSI's solution mining techniques have been previously evaluated in Wolf Ridge EIS and in the "Yankee Gulch Sodium Minerals Project American Soda, L.L.P." (1999) EISs. Impacts from the Proposed Action are not predicted to exceed previously disclosed impacts and an EIS is not required. This decision does not entail any known issues or elements that would create a precedent for future mining decisions. The decision does not represent a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The EA did not reveal any significant cumulative effects beyond those already analyzed in the White River ROD/RMP and the Wolf Ridge EIS. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant new cumulative effects are not expected.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

No potential impacts to districts, sites, highways, or structures have been identified within the project area.

Two archeological sites are eligible or potentially eligible for listing in the National Register of Historic Places. The two sites would be protected through avoidance during the development of the well field. No construction activities would be allowed within the cultural site boundaries and mitigation measures would require an archeological monitor for activities near the sites.

All monitor, core, production well pairs and any other future surface disturbance associated with the well field development are subject to compliance requirements under Section 106 of the NHPA, and will undergo separate standard cultural resources evaluation procedures at the time of proposal. If historic properties are located during any subsequent field inventories in this area, and the BLM determines that mine related activities will adversely impact the properties, projects will be redesigned, and/or mitigation will be identified and implemented in consultation with the SHPO.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

No occupied or suitable habitat for special status species was found during surveys for Special Status Plants completed from April 8 to April 23, 2014. The proposed plant expansion would have not impacts to special status plant species. Areas of disturbance within the well field would have site specific NEPA review when applications are submitted.

Water depletions attributable to this mining operation were addressed in the original Section 7 consultation (Biological Opinion SE/SLC: 6-5-86-F-019, August 28, 1986). The FWS determined that project depletion impacts could be satisfactorily offset with a monetary contribution to help fund conservation measures implementing the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program). Receipt of Wolf Ridge Corporation's balance of payment for implementing conservation measures and avoiding jeopardy for the endangered Colorado River fishes was verified in that Biological Opinion.

The BLM prepared a Biological Assessment (BA) in compliance with Section 7(c) of the Endangered Species Act (ESA) and submitted the BA to FWS for supplemental consultation.

Conservation measures that are formulated during the supplemental Section 7 consultation process with regard to withdrawing an additional 475 acre-feet of water from the Upper Colorado River system would be appended to this action's Decision Record.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

Signature of Authorized Official

Field Manager

Date